Case 2:09-cv-00310-JPH Document 27 Filed 01/10/11

1 2 3 4 5 UNITED STATES DISTRICT COURT 6 EASTERN DISTRICT OF WASHINGTON 7 8 LINDA TINGLEY, NO. CV-09-310-JPH 9 Plaintiff, ORDER ADOPTING REPORT AND RECOMMENDATION TO 10 VS. **DISMISS** 11 MICHAEL J. ASTRUE, Commissioner of Social 12 Security, 13 Defendant. 14 BEFORE THE COURT for resolution is the Report and 15 2010 (ECF 26), Recommendation entered on December 21, No. 16 recommending the case be dismissed for lack of jurisdiction. No 17 objections have been filed. The deadline has passed. 18 Having reviewed the report and recommendations, the Court 19 adopts the magistrate judge's recommendations in their entirety. 20 Therefore, IT IS HEREBY ORDERED: 21 The Report and Recommendation (ECF No. 26) to dismiss the 22 case is ADOPTED in its entirety. 23 2. The First Amended Complaint (ECF No. 9) is **DISMISSED** 24 without prejudice. 25 3. All pending motions are **DENIED AS MOOT**. 26 This file shall be CLOSED. 27 /// 28 //

IT IS SO ORDERED. The District Court Executive is directed to enter this Order, forward copies to the parties, and close the file.

DATED this 10th day of January, 2011.

s/Edward F. Shea

EDWARD F. SHEA

UNITED STATES DISTRICT JUDGE

Q:\Civil\2009\0310.Ordadopting-RnR-Tingley.wpd